

1

2

3

4

5

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

9 | VINCENT DEPASQUALE,

Plaintiff,

Case No. 3:11-CV-00191-LRH-(RAM)

11 | VS.

12 || STATE OF NEVADA, et al.,

Defendants.

ORDER

15 Plaintiff has submitted an amended complaint (#13). The amended complaint cures the
16 defects that the court found in the original complaint (#8). The court will serve the amended
17 complaint (#13) upon defendants for a response.

18 Plaintiff also has submitted objections (#10) to the court's order (#7) that denied his motion
19 for appointment of counsel (#3). The court construes the objections (#10) as a motion for
20 reconsideration. Nothing in the objections (#10) causes the court to depart from its earlier
21 conclusions.

IT IS THEREFORE ORDERED that the clerk of the court shall electronically serve defendants with a copy of this order and the amended complaint (#13). The Attorney General shall advise the court within twenty-one (21) days from the date that this order is entered whether service of process for the named defendants is accepted. If the Attorney General accepts service of process for any of the defendants, such defendant(s) shall file and serve an answer or other response to the complaint within thirty (30) days of the date of the notice of acceptance of service. If service cannot be accepted for any of the named defendants, then plaintiff will need to file a motion identifying the

1 unserved defendant(s), requesting the issuance of a summons, and specifying a full name and
2 address for said defendant(s). Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure,
3 service must be accomplished within one hundred twenty (120) days from the date that this order is
4 entered.

5 IT IS FURTHER ORDERED that henceforth, plaintiff shall serve upon defendants or, if
6 appearance has been entered by counsel, upon the attorney(s), a copy of every pleading, motion or
7 other document submitted for consideration by the court. Plaintiff shall include with the original
8 paper submitted for filing a certificate stating the date that a true and correct copy of the document
9 was mailed to the defendants or counsel for the defendants. The court may disregard any paper
10 received by a district judge or magistrate judge which has not been filed with the clerk, and any
11 paper received by a district judge, magistrate judge or the clerk which fails to include a certificate of
12 service.

13 IT IS FURTHER ORDERED that plaintiff's objections (#10), which the court construes as a
14 motion for reconsideration, are **DENIED**.

15 DATED this 25th day of August, 2011.
16



17 LARRY R. HICKS
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26
27
28